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ABSTRACT

In recent years, sex abuse scandals have struck schools around the country. This report contends that the way to address sexual abuse is to face it head on and to develop a comprehensive program to attack every facet of the problem. It is the multi-faceted nature of child sexual abuse that dictates this comprehensive approach. It is recommended that efforts be made to prevent child abusers from entering the school system by screening all prospective employees. Likewise, regulations must clearly define prohibited conduct and be vigorously enforced. While these measure will prevent some sexual abuse from occurring, no screening or regulation can guarantee that employees will not sexually abuse students. It is therefore critical that the schools be fully prepared to deal with child sexual abuse whenever and wherever it occurs. Research has shown that the reaction to the child's first disclosure of sexual abuse is crucial, because there is often no second disclosure. The recommendations contained in this report would ensure that when a child discloses sexual abuse to any school employee, that employee would have been trained in the appropriate response. A program that addresses the many difficult issues associated with child sexual abuse is advised. (RJM)

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THE FINAL REPORT OF THE JOINT COMMISSION OF THE CHANCELLOR AND THE SPECIAL COMMISSIONER FOR THE PREVENTION OF CHILD SEXUAL ABUSE

Ramon C. Cortines
Chancellor
NYC Public Schools

Edward F. Stancik
Special Commissioner
of Investigation

Francine B. Goldstein
Executive Director
Student Support Services
NYC Board of Education

Regina A. Loughran
Attorney-in-Charge
Child Sexual Abuse Unit
Special Commissioner of Investigation

Larry Edwards
Assistant Administrative Superintendent
Division of High Schools
NYC Board of Education

Maureen Spencer
Supervising Investigator
Child Sexual Abuse Unit
Special Commissioner of Investigation

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THE FINAL REPORT OF THE JOINT COMMISSION OF THE CHANCELLOR AND THE SPECIAL COMMISSIONER FOR THE PREVENTION OF CHILD SEXUAL ABUSE

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INTRODUCTION

This Commission was formed in response to allegations of sexual abuse made by New York City public school students against school employees. Since 1991, the Office of the Special Commissioner of Investigation ("SCI") has substantiated over 100 such allegations.[1] Special Commissioner Edward F. Stancik and Schools Chancellor Ramon C. Cortines felt that by bringing together individuals and groups dedicated to the safety and welfare of our schoolchildren -- medical experts, academic scholars, parents, child advocates, teachers, principals, employee unions, law enforcement officials and others -- their energy and talents would forge a system that could effectively attack child sexual abuse before it even occurs.

The sexual abuse of children is a problem that is not unique to New York City, nor to its schools. In recent years, sex abuse scandals have struck schools around the country, as well as churches, mentoring organizations, and day care centers: in short, all organizations that provide services for children. These organizations, with long traditions of providing essential services to children, have understandably been thunderstruck when child sexual abuse emerged in their ranks. Reactions have ranged from full disclosure to denial to cover-up, but rarely has there been a pro-active, comprehensive effort to *prevent sexual abuse* or to prepare an effective response *before* abuse occurs.

New York City's schools face the challenge that all dedicated child service providers

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[1] The Office of the Special Commissioner of Investigation, an agency that is independent of the Board of Education, investigates allegations that appear to involve criminal activity or other serious misconduct within the school system. Complaints that allege minor administrative infractions are referred to the Chancellor's Office of Special Investigations. The small number of complaints that contain insufficient information to conduct even a preliminary investigation are kept on file, but are not investigated.

face: how to approach a child sexual abuse problem that is undeniably real without tarnishing the reputations of the vast majority of their employees who seek only to help children. The members of this Commission feel strongly that the way to address the problem of sexual abuse is not to hide from it, but to face it head on: to develop a comprehensive program to attack every facet of the problem.

It is the multi-faceted nature of child sexual abuse that dictates our comprehensive approach. Abuse can be committed by a school employee, a family member, a stranger, or even another child. It can occur anywhere: at home, at school, in the City, or outside the State. It can involve forcible rape or sodomy, a criminal sexual "relationship" between an adult and a student, or sexual harassment.

The Commission favors a committed effort to prevent child abusers from entering the school system. This can only be accomplished through vigilant screening of all prospective employees. Regulations must clearly define prohibited conduct and be vigorously enforced. These measures will prevent some sexual abuse from occurring. We recognize, however, that because there is no foolproof "profile" of a child sexual abuser, no screening or regulation can guarantee that employees will not sexually abuse students.

It is therefore critical that the schools be fully prepared to deal with child sexual abuse whenever and wherever it occurs. Research has shown that the reaction to the child's first disclosure of sexual abuse to an adult is crucial, because there is often no second disclosure.

Our recommendations, if fully implemented, would ensure that when a child discloses sexual abuse to any school employee, that employee would have been trained in the

appropriate response. The child's allegation would immediately be in the hands of law enforcement professionals, the best way to ensure a prompt and thorough investigation. Each school would have a "case coordinator" to refer the child for physical and/or psychological treatment. Child Advocacy Centers, by consolidating interviews of the medical, law enforcement and legal authorities speaking with the child, would reduce the child's exposure to these traumatic encounters.

An attorney experienced in sexual abuse allegations would handle disciplinary proceedings for the Board, and would counsel parents on the system's intricacies. An easy-to-read brochure would answer basic questions about the process, and list the case number and attorney assigned. Further, the process would be substantially quicker, while being fair to all parties.

The Commission in no way wishes to discourage the important relationship between teacher and child. We recognize that more than ever, children need the warmth and compassion of those who educate them. Further, we are not blind to false allegations of sexual abuse, nor to the terrible damage that can result when such accusations are made. All agree that the most effective way to limit these risks is to enact a program to address the many difficult issues associated with the complex problem of child sexual abuse. Indeed, the program we propose will give New York City the most comprehensive system for attacking child sexual abuse in the nation, an accomplishment attributable to the hard work of all the Commission's members.

DEFINITIONS

Throughout this document, we use several terms that must be defined:

The term "sexual abuse" refers to criminal activity, such as rape, sodomy, or improper sexual touching. Sexual abuse also refers to sexual relations between a school employee and a student, regardless of the student's age. Although not a crime under the New York State Penal Law if the student is over seventeen years of age and the act does not involve forcible compulsion, this activity is a gross violation of the adult-student relationship, and is invariably abusive to the student.[2] The following examples, based on real cases, illustrate the definition: a custodial worker has sexual intercourse with an eight-year-old female student by force; a teacher "courts" a fifteen-year-old male student with gifts and ultimately has anal intercourse with him "by consent;" a dean touches the penis of a male student and rubs his chest and buttocks; a guidance counselor has a long term relationship with a seventeen year old student which includes "consensual" sexual intercourse.

The term "sexual harassment" refers to improper non-criminal sexual activity, such as comments of a sexual nature and excessive touching in non-sexual areas. For example, a principal allows female intermediate school students to sit on his lap and asks them to call him "uncle;" a paraprofessional tells a female high school student that he likes the way she dresses and he would like to "tune her up;" a cafeteria worker repeatedly rubs the shoulders and arms of several male and female elementary school students making them feel uncomfortable.

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[2] Members of the Commission unanimously agreed that sexual relations between a school employee and a student should not be tolerated under any circumstances.

The term "child" refers to any student in the New York City public school system, regardless of age.

The term "substantiated" means that sufficient evidence has been found to support the allegation. In a criminal case the standard of evidence is proof beyond a reasonable doubt; in a wholly administrative case, the standard is a preponderance of the credible evidence.

The term "unsubstantiated" means that sufficient evidence has not been found to support the allegation and it cannot, therefore, be determined whether the allegation is true or not.

The term "unfounded" means that there is no credible basis to believe the allegation.

The term "mobile molester" refers to an individual (frequently reported to be male) who has a history of abusing children which he has been able to conceal. He changes jobs frequently because 1) he suspects that someone is "on to" his abuse, or 2) he has been confronted with the abuse and is quietly told to move on.

CONDUCT OF STUDENTS AND STAFF IN THE SCHOOL COMMUNITY

The Board of Education is in the position to set standards of behavior for the school community and to enforce those standards. The Chancellor, the central Board, the community superintendents, and the community school boards must send a strong message that sexual abuse or harassment, including long-term relationships with students, will not be tolerated under any circumstances. The Chancellor, the Board President, and the Special Commissioner should continue to issue their joint directive to staff prohibiting sexual contact and relationships between students and staff.[3] This directive should be issued on an annual basis and expanded to prohibit other types of sexual misconduct and harassment by employees. The leadership of the school system must make clear that any employee found guilty of sexual misconduct will suffer disciplinary action, which can include termination of employment.

ISSUE: Experts agree that many incidents of sexual abuse in schools -- particularly "relationship cases" -- can be prevented through clear policies and education. Yet the Board of Education presently has no clearly stated definition of sexual harassment and abuse.[4] Furthermore, there does not presently exist a comprehensive rule or regulation specifically

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[3] Issued May 6, 1991; re-issued October 13, 1993. The directive informs employees of their obligation to immediately report misconduct, including sexual misconduct, by school employees to the Special Commissioner's Office; prohibits sexual relationships with students of any age; and prohibits school employees from conducting their own investigation into allegations of misconduct.

[4] Chancellor's Regulation A-830 explains how Board of Education employees, students and their parents can report an allegation of discrimination including sexual harassment, but does not define sexual harassment. Chancellor's Regulation A-750 does include definitions of criminal sexual abuse.

prohibiting sexual harassment and abuse of students by Board employees.[5] Tenured school employees who are found to be sexually abusing or harassing a student are charged with "conduct unbecoming a school employee."

RECOMMENDATION: The Chancellor should develop clear guidelines for employee and student behavior that define sexual abuse and harassment. The Board's corporate and labor contacts as well as experts in the field and other institutions who have recently faced this issue would be valuable resources to assist in this effort.[6] The Board must clearly define what constitutes unacceptable conduct, so that everyone in the school community can be held accountable for his or her behavior.

In addition, the Chancellor should set an example for the rest of New York State -- and for the rest of the country -- by creating a regulation that specifically prohibits employees from sexually harassing or abusing students. This regulation might take the form of an expanded version of the directive issued by the Chancellor, the Board President, and the Special Commissioner described above.

RECOMMENDATION: With regard to students who sexually abuse other students, one member of the Commission who has particular expertise in this area made specific

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[5] The directive issued by the Chancellor and signed by the Board president and the Special Commissioner prohibits sexual relationships with students, but does not delineate other types of sexual misconduct.

[6] The guidelines and regulation(s) should be well thought out and comprehensive. Although individual members of the Commission have expertise in this area and can be of great assistance to the Chancellor in drafting these rules, the actual creation of these documents was beyond the scope of the Joint Commission's charge.

suggestions for policy to be considered by the Chancellor. Those recommendations are appended to this document. We urge the Chancellor to give careful consideration to these suggestions.

ISSUE: Guidelines alone, of course, will not prevent all sexual abuse and harassment of the City's schoolchildren. Potential abusers must be further deterred by knowing that they will be punished for their actions.

RECOMMENDATION: Enforcement of the guidelines and regulations proposed in the previous recommendations is essential, and school employees should be advised that violation of the rules can result in disciplinary action which, in the appropriate case, could be termination of the employee's employment.

PROSPECTIVE EMPLOYEES

The above recommendations suggest ways for the Board of Education to set standards of behavior and punishment guidelines for students and staff within the school community. Schools, with their large numbers of children, will obviously attract some child molesters. The Chancellor should implement measures to prevent sexual molesters from entering the school system in the first place.

ISSUE: The screening procedures for Board employees do not require the interviewer of prospective employees to contact employment references or conduct background checks before employees can be hired.[7] The background checks that are done do not require the hiring officer to ask specifically whether a prospective employee has ever been found guilty of a case of sexual abuse or harassment or whether a substantiated case is currently pending. This allows some prospective employees with a history of sexual abuse or harassment in other school districts to pass through the screening process if their behavior did not result in a recorded criminal arrest.[8]

RECOMMENDATION: The Board should extend its present screening procedure. Prospective employees should be required to answer specific application questions that inquire whether the individual has been found guilty of or is currently the subject of a

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[7] These measures are required when hiring for a position with an annual salary greater than $30,000. Even then, the checking of references is haphazard at best.

[8] All prospective Board of Education employees are supposed to be fingerprinted before starting employment.

substantiated case of child sexual abuse or harassment. It should be mandatory for personnel in charge of hiring to follow up the prospective employee's responses by contacting employment references and specifically making the same inquiries. Personnel in charge of hiring should also note patterns of movement which may indicate that the applicant is a "mobile molester," and at a minimum should ask the references -- and the applicant -- to explain the reasons for the many job changes.

ISSUE: Are there other means that can be utilized to screen out molesters?

RECOMMENDATION: The Commission agreed that the Board should consider using a screening questionnaire which has been tested and found to be effective in identifying individuals who are appropriate to work with children. A copy of the questionnaire is being provided to the Chancellor.

ISSUE: Screening of all school volunteers is not required by the Board. Only those volunteers planning to work with students in an unsupervised, one-on-one basis are required to submit letters of reference, be fingerprinted, and undergo a criminal background check.[9]

[9] Chancellor's Regulation A-845 required screening of school-based mentors who are expected to work with students unsupervised and outside the school setting. Volunteers who are expected to be supervised are not subject to screening.

A screening procedure for all volunteers might help keep potential abusers of students out of the schools.

RECOMMENDATION: Students are at risk when individuals who have not been screened are allowed into schools. Teachers and other school personnel cannot be expected to "babysit" unscreened volunteers. All volunteers should be screened and fingerprinted to check for criminal convictions prior to entering the school environment. Although those who choose to volunteer their time to work with children will understand the need for screening, an onerous screening process might discourage potential volunteers. Therefore, the Board should try to develop ways to reduce the cost and hassle for the volunteers, such as providing fingerprinting at a convenient location.

REPORT -- COOPERATE -- SUPPORT

Even if the school system does all it can to prevent sexual misconduct by its students and staff, children will still, unfortunately, be victims of sexual abuse and harassment. When allegations of sexual abuse or harassment do arise, the school system must be prepared to handle two major issues: first, there must be effective, well-understood policies for reporting the allegation and cooperating with authorities to apprehend the abuser. Second, a mechanism must be developed for supporting the child who cries out for help, including referring the child for professional counseling if necessary.

Reporting and Cooperating

Members of the Commission agreed that with respect to reporting allegations of child sexual abuse, the school system already has policies in place. Chancellor's Regulation A-750 explains the procedure to be followed by Board personnel who learn of child sexual abuse and maltreatment involving a suspected perpetrator in the child's home.[10] The May 6, 1991 directive issued by the Chancellor, the Special Commissioner, and the Board President sets forth the obligation of school personnel to report allegations of child sexual abuse when the suspect is a school employee.

ISSUE: Although school employees are required to report suspected abuse if it occurs in the home to the Child Welfare Administration ("CWA") or at the hands of a school employee to SCI, they are not required to notify law enforcement officials if they suspect that a student

[10] The Regulation, which is based on the New York State Social Services Law, mandates that such information be reported by school employees. Thus, Board personnel are "mandated reporters."

has been sexually abused by any other adult or by a fellow student.

RECOMMENDATION: The Chancellor should develop specific regulations that require school staff to report other types of suspected sexual abuse of a student -- for example, by a fellow student, a stranger, or an acquaintance -- to the appropriate investigating agency -- usually the Special Victims Squad of the New York City Police Department ("NYPD").[11]

ISSUE: Despite the existence of specific regulations with regard to reporting abuse, the general practice is to report the suspected abuse to the principal who, in turn, often reports it to the district superintendent. Confusion regarding who will actually alert the appropriate investigating agency sometimes results in the abuse going unreported or in a delay in reporting.

RECOMMENDATION: Each school should designate from existing staff a "case coordinator" who will be specially trained and be responsible for reporting allegations to the appropriate investigative authority -- the NYPD, SCI, or CWA. The school principal, in coordination with the School-Based Management ("SBM") team in schools with such teams, should choose the coordinator so that the individual is someone with whom the principal and SBM team can work effectively. The coordinator should be an individual who is interested

[11] Of course, suspected abuse by employees will continue to be reported to SCI and suspected abuse in the home will continue to be reported to the Child Welfare Administration.

in and who is comfortable with the issues involved, and must have time available to interact with the child and with other agencies.

ISSUE: Although school employees are required to cooperate with an investigation conducted by SCI, employees sometimes do not understand this obligation. Furthermore, when another agency is handling the investigation -- the NYPD, CWA, or the District Attorney's Office -- some school employees do not provide full cooperation.

RECOMMENDATION: The Chancellor should require all school personnel to cooperate with an investigation into any child sexual abuse allegation. In most cases, cooperation simply means an interview with investigators concerning the allegation. Employees will at times be required to produce official documents, or facilitate school-based interviews of witnesses. As part of the training course recommended herein, the obligation to report and to cooperate should be explained to all school employees.

Support

ISSUE: Although the school system has taken some steps to define and implement a policy for reporting sexual abuse of students, there is no comprehensive policy for supporting the victims and referring them for professional counseling.

RECOMMENDATION: In addition to reporting the allegation to the appropriate law enforcement agency, the case coordinator should also be responsible for providing ongoing support to the victim and his or her parents. The case coordinator should refer the student for immediate treatment -- physical and/or psychological -- at one of the resource centers available throughout the City. Thereafter, the case coordinator should provide the necessary support and refer the student for treatment as needed.[12] The Board of Education should develop a comprehensive, current resource directory for each borough, which will be kept by each case coordinator as a reference guide for making referrals. The Commission member representing the Child Abuse Prevention Program has donated a list compiled by that agency. The directory should be updated periodically. The case coordinator should maintain contact with the family and with agencies providing services for the family.

[12] Members of the Commission noted that even when a case is unsubstantiated, abuse may still have occurred and the child may still be in need of treatment. In addition, even children who report unfounded allegations may be in need of some type of professional treatment.

TRAINING

In order to maximize the benefits of the policies that are already set in place and of those that will be implemented as a result of these recommendations, the Board must implement system-wide training by outside experts, so that everyone in the school community knows how the system works. The Commission agreed that increased training in the three crucial areas outlined earlier in this report is absolutely necessary: knowing when and where to report the allegation, cooperating with the investigation, and providing support for the child who reaches out for help.

Reporting the Allegation and Cooperating with the Investigation

ISSUE: Incidents of child sexual abuse are not being reported consistently by school employees. At present, teachers are the only school employees who receive mandatory training in reporting child sexual abuse. This training is only a small component of a two-hour state-mandated training course for new teachers on child abuse and neglect.[13] This one-time training is not sufficient to give teachers the understanding they need of the sensitive issues surrounding allegations of child sexual abuse. At least one national survey suggests that teachers throughout the country do not fully understand the correct procedures for reporting child sexual abuse.[14] Other school staff to whom a child might make an allegation of abuse -- such as paraprofessionals, school safety officers, and custodial and

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[13] The State mandated course was implemented after the tragic death of Lisa Steinberg in 1987. Steinberg, a student in a New York City public school, died after school staff failed to recognize signs of abuse occurring in her home. The New York City training course is forty-five minutes longer than the two hour State course.

[14] See: Daro, Abrahams, Casey, "Teachers Confront Child Abuse: A National Survey of Teachers' Knowledge, Attitudes, and Beliefs," National Committee for Prevention of Child Abuse, 1989.

cafeteria staff -- receive little or no training on how to report an allegation of child sexual abuse.[15]

RECOMMENDATION: New York City should set an example for other cities and communities by training all school staff in the detection and intervention of child sexual abuse and sexual harassment. This training should be conducted by professionals and experts in the fields of sexual abuse and sexual harassment.

The Board of Education should expand upon the state-mandated training course for teachers to include all issues pertinent to detecting and reporting sexual abuse. Because a student might pick anyone to be the recipient of an allegation of sexual abuse -- and the first reaction to the child is often crucial -- the course should be required of *all* school employees, not only teachers. This would provide students with an entire network of adults to whom they could make an allegation of sexual abuse and increase the number of incidents reported.

Included in this training should be significant information for employees in how to detect the signs of child sexual abuse, what language to use or to avoid when responding to a child's disclosure, and how to report the allegation to the case coordinator and follow up to make sure the allegation reaches the proper authorities. This training should make clear the responsibility of Board employees to report not only sexual abuse perpetrated by a school employee, but also sexual abuse that they suspect occurs in the home, at the hands of another student, an acquaintance, or a stranger. Training in the issues of child sexual abuse should

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[15] The Board has set up a "turnkey" system for training non-pedagogue employees in reporting child abuse. Under this system, assistant principals are provided with training materials and left to train the non-pedagogue employees on their own. Recommendations with respect to training in the area of support for the child are presented later in this document.

be mandatory at recurring intervals, preferably annually, for all school employees.

This training will prepare staff to play their proper role in helping to bring every case to its proper conclusion -- whether substantiated, unsubstantiated, or unfounded. Employees should understand that a thorough and independent investigation will uncover false accusations of sexual abuse as well as those that are true. Accordingly, employees must understand that confidentiality is extremely important, particularly in cases of false allegations, so that damage to that individual can be kept to a minimum. The training will dispel the feelings of confusion, anger and/or fear that employees often experience when one of their colleagues is accused of abuse.[16] Staff are more likely to cope with the trauma in a calm, effective manner if they understand what is going to take place when an allegation is made. Concern for the individual who is the subject of the allegation will be alleviated when they learn that the subject is informed of the results of the investigation regardless of its outcome. In addition, it is important for staff to understand what their role might be throughout the process, such as appearing in court as witnesses. Having a well-informed staff can be critical to the success of the investigations conducted by outside agencies.[17]

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[16] In one case substantiated by the Special Commissioner's Office, colleagues of the offender continued to deny that the allegations could be true, despite a full, taped confession by the offender to the conduct alleged.

[17] For example, when reporting an allegation of abuse, the reporter must know to say, if it is the case, that the child does not speak English. Having this information at the outset will enable investigators to bring an unbiased interpreter when they go to speak to the child, rather than using a family member or a member of the school staff who knows the child.

The sexual harassment and abuse guidelines created as a result of our first recommendation should be widely distributed and clearly explained to employees during training.

ISSUE: Board of Education employees are required to report allegations of sexual abuse in the child's home to the State Central Register for Child Abuse and Maltreatment and abuse by school employees to SCI.[18] But employees often report allegations of child sexual abuse to the principal or guidance counselor in their school, and assume that they have fulfilled their mandated duty to report the allegation to the proper authorities.

RECOMMENDATION: Mandatory training should make it completely clear that the employee's duty to report suspected or alleged child sexual abuse is not discharged until the information has been reported to the appropriate investigative agency by someone: the case coordinator, the principal, another staff member, or the employee his/herself.

ISSUE: Investigations are sometimes seriously compromised -- and the reputation and/or the career of the accused is seriously jeopardized -- because Board employees either do not keep the allegation confidential or do not immediately report it to the Special Commissioner's Office, the appropriate law enforcement agency, or the Child Welfare Administration via the

[18] Within this document, the Commission has recommended that employees also be required to report allegations of abuse committed by other individuals to the NYPD.

hotline of the New York State Central Register. It is particularly troublesome when employees attempt to conduct their own "investigations." The majority of school staff are well-intentioned and want to respond appropriately. However, many employees do not know or understand what the correct response is.

RECOMMENDATION: Child sexual abuse training for Board employees should emphasize how vital it is that employees honor the confidentiality of an allegation and immediately report it to the proper authorities, so that all allegations can be subject to a thorough and professional investigation. Employees must understand that their attempts to determine exactly what happened, which may seem like a helpful thing to do, can produce the opposite effect. Those professionals affected by in-house "investigations" -- police, investigators, prosecutors, CWA, and treatment professionals -- should participate in the training program to demonstrate how disruptive these lay person "investigations" can be, no matter how good the person's intentions. The training must address the difference between assessing what a child says and investigating that complaint.

ISSUE: A disproportionately large number of cases handled by the Special Commissioner's Office involve the abuse of students assigned to special education programs. Although special education students represent only seven percent of the public school student population, they comprise fourteen percent of student victims in the sexual abuse cases

substantiated by the Special Commissioner's Office.[19] Special education students are particularly vulnerable because of communication difficulties, credibility concerns, and/or emotional disabilities -- disadvantages that make them easy prey for abusers.

RECOMMENDATION: All school employees who have contact with special education students must receive specific training with regard to the additional risks facing these students.

ISSUE: When a Board employee becomes aware of an actual allegation of child sexual abuse, he or she may not remember all of the procedures taught in training.

RECOMMENDATION: The Board should develop a straightforward, easy-to-read reference card that sets out the exact procedures to follow when an employee learns of an allegation of child sexual abuse. The card should include the telephone numbers of the New York City Police Department's Special Victims Squad in each borough, the Special Commissioner's Office, and the State Central Register for Child Abuse and Maltreatment hotline. This card should be distributed during mandatory employee training on child sexual abuse, and should always be available in the principal's office.

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[19] Based on statistics compiled in February 1994.

Supporting the Child Who Reaches Out For Help

ISSUE: Support for victims of child sexual abuse must begin at the point of disclosure. A school employee's response and initial actions when a child discloses that he or she has been sexually abused are crucial factors in the success of the treatment process, as well as the success of the investigation. When a well-informed staff member receives the allegation, success is much more likely in both treating the victim and apprehending the abuser. Recent research shows that training individuals in how to receive an allegation has a substantial impact on a successful course of treatment for the child. Unfortunately, however, although a child may choose to disclose sexual abuse to any school employee, school staff are not trained in how to respond when a child reports that he or she has been sexually abused.

RECOMMENDATION: The Board of Education must prepare all school staff -- including paraprofessionals, school safety officers, lunchroom workers, and custodial staff -- to respond appropriately when a child discloses an allegation of sexual abuse.[20] This mandatory training must make school staff familiar with the steps that will be taken to investigate the complaint and treat the victim, and what will happen to the alleged offender. All school staff must know how to be empathetic and how to explain to the child what he or she should expect to happen. At the same time, school personnel must realize that promises should not be made to the child.[21]

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[20] Recognizing that English is not the primary language of some support staff, training should be offered in other languages.

[21] For example, promising the child that he/she will never see the perpetrator again -- a promise that is likely to be broken -- can have irreparable effects on the child and the investigation.

ISSUE: Some school personnel will invariably feel uncomfortable discussing sexuality and the sensitive issues involved in discussions of sexual abuse and harassment.

RECOMMENDATION: The mandatory training must also include training school personnel on how to feel as comfortable as possible with sexuality issues. An adult who is not at least minimally comfortable with these issues is likely to panic to try to avoid the issue when confronted with a disclosure of sexual abuse. The Board of Education cannot expect all employees to feel comfortable with such sensitive and difficult topics, which is why it is important to have a case coordinator at each school. But it is vital for the children that everyone who works in the school system be obligated to at least meet a minimum standard, so that if a child reports an allegation of abuse to anyone in the school, that person is at least prepared to bring the child to someone who can provide the help and support the child is seeking (i.e., the case coordinator).

School Leadership

Principals, as the chief administrators in their schools, have the ability as well as the responsibility to set the tone in their schools on a number of issues. Their efforts are critical to creating an environment in the school community where everyone knows that allegations of sexual harassment and abuse will be handled very seriously.

The leaders of the local school districts must work together to send a strong message that sexual harassment and abuse of students will absolutely not be tolerated.

ISSUE: Since under the current system most school employees report child sexual abuse to their supervisors, principals are critically important in the reporting process. Most principals perform well in this role. Unfortunately, experience has shown that, for a variety of reasons, some principals do not always fulfill their responsibilities with regard to reporting sexual abuse. Cases investigated by the Special Commissioner's Office revealed that some principals held off reporting allegations for fear of damaging the reputation of their school.

RECOMMENDATION: The Board should develop and implement a special training course on child sexual abuse designed specifically for principals and other school-based administrators to give them the skills necessary to fulfill their special role in handling sexual abuse allegations. The designated case coordinator in each school must also be required to take this course. The training course should include information specifically relevant to the role of the school administrators. The course should train principals and the case coordinator to cultivate an awareness in their schools that policies and procedures will be implemented and that abuse and harassment of students will not be tolerated. This mandated training, conducted by independent professionals and experts in the field of child sexual abuse and harassment, should be updated and conducted on an annual basis, and should include all of the information contained in the expanded teachers' course on sexual abuse, as well as additional information on how to designate and work with a case coordinator. The local superintendents should be held responsible for the principals' attendance to ensure compliance and to underscore the gravity and importance of the issue. Ultimately, the local school leadership must be held accountable when an allegation goes unreported or when a

professional investigation is stymied. School leaders must be made aware that they can face criminal and/or disciplinary charges for not reporting child sexual abuse. The Superintendent and the Community School Board members should attend this course. As the people who enforce proper conduct, it is crucial for them to understand the responsibilities involved in reporting abuse.

Students

ISSUE: A critical effort toward preventing sexual abuse is educating students about sexual harassment and abuse and equipping them with the skills and knowledge they need to avoid becoming victims of abuse. The Commission concluded, however, that the current sexual abuse prevention curriculum for students is not adequately addressing their educational needs.[22] The Commission found that the present curriculum is not using the most up-to-date techniques available to train students in this sensitive and difficult area. Furthermore, there is no "check" in place to determine that those classes slated to receive instruction actually do, and some grades skip the curriculum entirely. One immediately apparent problem is that there is little or no instruction in the junior high school and high school grades. This is particularly disturbing given that these students are at a higher risk of sexual abuse. Since January 1991, in reported cases, 78 percent of the victims of sexual abuse by school employees were aged thirteen years or older.[23]

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[22] The Chancellor has recognized that the sexual abuse and sexual harassment prevention curriculum is not being fully implemented in the schools. By memorandum dated May 18, 1994, addressed to community school boards, superintendents, and principals, the Chancellor states: "have staff utilize this curriculum and instruct staff to do awareness training with their students on these sensitive issues."

[23] Based on statistics compiled as of February 1994.

RECOMMENDATION: The Chancellor should select an advisory panel consisting of professionals from outside the Board, including child treatment experts, health educators and health practitioners, representatives from child abuse advocacy organizations, curriculum developers, child development experts, and student and parent representatives, to assist his staff in reviewing and revising the Board's sexual abuse prevention curriculum.[24] The revised curriculum should ensure that students have the most current information available on how to protect themselves from abuse. The curriculum should explain to children to whom they can turn if they need to speak to someone. The Special Commissioner's statistics indicate how important it is that the gap in instruction at the junior high school and high school levels be filled. Thus, any curriculum must include appropriate instruction at that level. The curriculum should contain information about the guidelines of acceptable and unacceptable behavior so that students can identify abuse by adults and by other students, as well as understand what is expected of them. Accountability for the implementation of the revised curriculum system-wide must be clearly established.

Parents

ISSUE: Parents need to know the facts about child sexual abuse so that they can reinforce protective techniques taught to children at school, detect signs of abuse in their child, and understand what they should do if their child becomes a victim of sexual abuse. Yet most parents are not informed about sexual abuse. Parent training programs presently offered by

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[24] Although many members of the Commission have expertise in these areas and would be a good source of information for the Chancellor's panel, review of the curriculum and the drafting of a new curriculum were beyond the scope of the commission in terms of time and purpose.

groups affiliated with the Board are provided on a request basis only. Parent members of the Commission agreed that parents need and want to be trained. While the Board cannot make parent training on sexual abuse mandatory, it can mandate that such training be available at all schools, and can reach out more effectively to parents system-wide in order to increase voluntary participation.

RECOMMENDATION: The Board should expand its ability to provide parent training on child sexual abuse by utilizing outside resources, such as supervised graduate students and non-profit organizations. The Board should develop a plan to consolidate these resources and make a unified effort to provide system-wide, repeated training for parents on child sexual abuse. The Board should draw the local Parents Associations and other parent groups into this effort to organize training sessions as a means of informing parents that this training is available. Where a community's ethnic makeup so requires, the Board should provide training in languages other than English so that all parents can participate equally. Similarly, sign language interpreters should be available to assist in the training of hearing-impaired parents. Parents of Special Education students should receive training specifically geared to the issues that place those students at higher risk of abuse.

The Office of Child Abuse and Neglect

ISSUE: Over the years, the staffing of the Board's Office of Child Abuse and Neglect has been dramatically reduced. Although at one time the staff included five employees, there is presently only one full-time person assigned at this central Board office to work on issues

relating to child sexual abuse training and prevention. In light of the recommendations of the Commission, an already heavily burdened office will take on additional responsibilities.

RECOMMENDATION: The staff of this office should be increased. In this way, the office can play a crucial role in the implementation of the recommendations made by this Commission. The Chancellor should consider seeking individuals who will volunteer their time to staff this important office; and/or seek funding from sources outside the Board.

MULTIDISCIPLINARY RESPONSE

Child Advocacy Centers

ISSUE: After a child has disclosed an incident of sexual abuse, he or she is surprised to learn that the details must be repeated numerous times to various strangers. Victims of child sexual abuse are often subjected to multiple interviews by investigators, medical personnel, social workers, and lawyers. Thus, in the course of the investigation, the child victim is traumatized a second time -- by the very individuals who are trying to help. In some cases, a child will become so confused or grow so tired of the questions that he or she will change the details, which decreases the chance that offenders will be caught and/or punished.[25]

RECOMMENDATION: Everyone involved in handling cases of child sexual abuse -- such as the NYPD, SCI, CWA, the District Attorney's Offices, Victim Services, medical personnel, other treatment providers, and the Chancellor's Office of Legal Services-- must try to coordinate their efforts so that children are not subjected to excessive multiple interviews. New York City should follow the example of cities like Huntsville, Dallas, and Baltimore that have set up Child Advocacy Centers.

In more than 100 communities across the country, public and private agencies involved in protecting children are providing safe havens for child victims of sexual abuse by working together to develop Child Advocacy Centers. By coordinating services in a central location, the Center helps expedite investigation and prosecution of abuse cases while making

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[25] A child victim who thinks that the easiest way to put an end to the questions is to say that the abuse never happened, even though it did, might "recant."

sure that victims get effective, sensitive, and immediate treatment in an environment that puts their needs first.

An aim of the Center is to provide a non-threatening environment for the child while allowing investigators to collect evidence. Each child is assigned an advocate who will be the child's companion throughout the process -- explaining what will happen, answering questions, and providing support. The child is interviewed, in an age appropriate room, by one investigator while others observe from behind a one-way mirror. A microphone in the interviewer's ear allows the investigators who are not in the room to have their questions asked. If a medical examination is required, it can be done on site or at a specially chosen facility that will understand the unique situation of the child victim. The child's therapeutic needs are evaluated and therapy is available to the child and to non-offending family members.

One of the newest Centers, being developed in Brooklyn, is a prototype for the five boroughs.[26] But until New York City has Child Advocacy Centers up and running in all five boroughs, an important first step toward minimizing the number of interviews the child must endure is to instruct Board employees to call the NYPD Special Victims Squad in their borough rather than 911 when they learn of abuse by someone who is not a school employee. This specialized unit, like SCI, understands the importance of cooperating with other agencies to minimize the number of interviews the victim must endure.

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[26] In New York State, the cities of Poughkeepsie and Buffalo currently utilize Child Advocacy Centers. In New York City, the Brooklyn Child Advocacy Planning Project has emerged from the Multidisciplinary Response Project. It is a multi-agency effort that includes members from the District Attorney's Office, the NYPD, Victim Services, New York City CWA, SCI, the Health and Hospital Corporation, NYC Network on Child Abuse and Neglect, and other health and social service providers.

RESOLUTION

This section deals with school employees who are the subjects of substantiated cases of sexual abuse of students. It also deals with employees who fail to report allegations properly or who do not cooperate with law enforcement investigations.

Administrative hearings take months, sometimes years, to reach a conclusion. Three school employees who were charged with sexual abuse more than two years ago are still collecting their salaries while their disciplinary hearings drag on. Seven other cases were referred for administrative action more than a year ago, and have yet to be resolved. While the hearings proceed at such a slow pace, the accused continue to draw their Board of Education salaries. Usually, tenured personnel who are waiting for a hearing to conclude are reassigned to "administrative duty," which, as even some of the staff members themselves have admitted, often consists of busy-work or no work at all. The Commission noted several causes of this unacceptable delay which can heighten the trauma experienced by the victim and his or her family.

ISSUE: Cases that drag on for extended periods of time drain resources and deepen the public's mistrust of the system. One of the major causes of delay in disciplinary proceedings is the difficulty in finding mutually acceptable times for all three hearing panelists, both attorneys, the respondent, and the witnesses to meet. Aggravating the delay is the fact that the chairpersons of the hearing panels, who are professional arbitrators, are paid on a per diem basis and are generally unable to devote a continuous block of time to hearing a case.[27]

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[27] The Education Law currently provides that arbitrators commit to three consecutive days of hearing, but thereafter there are no requirements.

Thus, there is no financial incentive to quickly conclude a case. In addition, since the hearing panel chairpersons are chosen from a statewide list, they often have to travel from other parts of the State each time their hearings appear on the calendar. As a result, a hearing that should last only several days is held for only a few hours at a time, on scattered dates, over the course of several months or years.

RECOMMENDATION: The school system should do everything in its power to resolve sexual abuse cases as quickly as possible.

Governor Cuomo recently signed a new law that amends the disciplinary process for tenured personnel under the Education Law. It provides that:

- The selected hearing officer, within ten to fifteen days of agreeing to be such, shall hold a pre-hearing conference to decide preliminary issues and set a final hearing date, not to exceed sixty days from the pre-hearing conference;
- If the final hearing will take more than one day, then consecutive days shall be scheduled.

Attorneys handling disciplinary cases must be vigilant to ensure that the provisions of the law are strictly enforced.

RECOMMENDATION: Given the unique circumstances of child sexual abuse cases, the Commission also recommends that the Board of Education and the unions representing tenured personnel compile a special list of arbitrators with prior experience or training in the sexual abuse field and utilize those individuals to hear sexual abuse cases.

ISSUE: Since the accused is paid until the hearing concludes, the defense has little, if any, motivation to move the hearing along swiftly. In fact, the defense has several opportunities to slow the hearing down, since agreements on various issues (such as choosing meeting dates) are crucial to the process.

RECOMMENDATION: The Commission agreed that disciplinary hearings in child abuse cases should take place as soon as possible.

The recently signed legislation that amends the Education Law provides for the final hearing date to be set within a specific time frame that can be extended only if the hearing officer "determines that extraordinary circumstances warrant a limited extension."

Attorneys handling disciplinary cases must be vigilant to ensure that the provisions of the law are strictly enforced.

ISSUE: In most criminal cases, the Chancellor's Office of Legal Services ("OLS") does not begin an administrative hearing until the criminal prosecution concludes. While this strategy sometimes helps to secure an offender's termination from employment with the school system,[28] it might not always be the most effective way to proceed since the employee continues to be on the Board's payroll while awaiting the administrative hearing.

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[28] For example, as part of a plea bargain.

RECOMMENDATION: Before proceeding with each individual case, the Office of Legal Services and the agency pursuing the criminal prosecution should confer to determine the best course of action for that case -- that is, whether the disciplinary proceeding can proceed before the criminal trial. Whenever possible, the prosecuting agency should require the defendant's resignation from the school system as part of a plea bargain. OLS should continue to request that a Board employee resign and surrender all licenses as part of any plea agreement.

RECOMMENDATION: The recent legislation that has been signed into law by Governor Cuomo amends the Education Law to provide that an employee may be suspended without pay if convicted of a felony (by guilty plea or after trial) involving the physical or sexual abuse of a minor or student. The Commission supported this legislation. Once again, the law must be vigorously enforced.

ISSUE: In some cases, an employee who is found guilty of sexual abuse is allowed to resign under the condition that his or her employment history will not be revealed. This agreement makes it impossible for another school system or child-related agency to find out that this employee has a history of child sexual abuse, contributing to the "mobile molester" phenomenon.

RECOMMENDATION: While it may be acceptable to allow a negotiated retirement for employees who have been charged with arriving late for class or excessive absences, except in extraordinary circumstances, the Office of Legal Services should not agree to keep secret the history of employees who have directly harmed a child or children.

ISSUE: The Office of Legal Services, which drafts charges and handles the litigation on behalf of the Board of Education, is understaffed, resulting in a large backlog of cases. This is a major cause of delay. Furthermore, OLS needs to prosecute the cases more vigorously. While delay in disciplinary cases is a state-wide problem and not limited to the New York City Board of Education, we urge the Chancellor to take the lead in aggressively bringing these cases to conclusion.

RECOMMENDATION: The Chancellor should authorize funds to hire at least one additional attorney for the Office of Legal Services. Specifically, the Office of Legal Services should seek out and hire an attorney who has experience handling sexual abuse cases. New York City should set an example for the rest of the country by dealing with cases of sexual abuse in the schools swiftly and effectively. Hiring at least one experienced former prosecutor to specialize in sexual abuse cases is an important step in this direction. This attorney would work to rid the school system of those who sexually abuse children -- and, in the process, prepare victims and witnesses in a knowledgeable, professional manner.

Perhaps funds for this position may be secured from a private source dedicated to the prevention of child sexual abuse.

The attorney hired to handle and oversee cases of sexual abuse should press for swift and aggressive prosecution of personnel charged with sexual abuse and related offenses. Excessive delays cannot be tolerated. The Chancellor should remind all attorneys on his staff of the importance of aggressive and timely prosecutions. Delays are especially harmful in cases with child witnesses, whose parents understandably wish to put the trauma behind their child as quickly as possible.

ISSUE: Although the new attorney will ease the caseload and will be primarily responsible for sexual abuse cases, other attorneys may handle these cases as well.

RECOMMENDATION: The laws and techniques applicable to investigations of child sexual abuse allegations are subject to rapidly changing developments. At progressive Special Victims Units around the country, attorneys regularly receive training to keep up with these developments. Such courses are often available in the New York City area at no or nominal cost. On a regular basis, all legal staff at the Office of Legal Services, like prosecutors around the country, should receive training in child sexual abuse investigation and prosecution, and in the special needs of witnesses who are victims of sexual abuse and sexual harassment.

ISSUE: The Board of Education has an inadequate case tracking system. As a result, the available data is often inaccurate and/or incomplete. Specifically, in the past, the Board has been unable to produce statistics accurately and consistently.

RECOMMENDATION: Although the Board of Education had been making some progress in case tracking, staff reductions have set back these efforts. Up-to-date case tracking is a necessity, not a luxury. The Board must fully computerize its system to include relevant information about all cases, including the current status. An individual should be responsible for the entry of accurate data, the updating of data, and making sure that the system is running smoothly.

ISSUE: Victims of sexual abuse and their families are often not informed about the disciplinary process and are not communicated with in a manner sensitive to their particular needs and fears. The resulting sense of alienation sometimes leads the victim or the parents to choose not to cooperate, increasing the likelihood that the offender will be returned to the school.

RECOMMENDATION: The training for parents recommended earlier in this document should alleviate some of this problem. In addition, the Board of Education should prepare an easy-to-read brochure for parents that explains what they can expect from the disciplinary process. The brochure should explain the various stages of the process, how long each step

usually takes, what the parents' and the victims' particular roles will be, and how vital their cooperation is. The brochure should include a space for the case number and the name and telephone number of the OLS attorney handling the case. That attorney should periodically update the victim and his or her parents on the progress of the case. Parents and victims should be notified of all significant events including negotiations for settlement by the attorneys or plans for retirement or resignation by the accused. Our recommendation that the Board of Education hire an experienced attorney to handle sexual abuse cases should also improve communications between the Office of Legal Services and its witnesses. In addition, an updated case tracking system will make it easier to obtain the information needed to keep parents, victims, and witnesses informed.

ISSUE: Until recently, the community school boards had only six months to press misconduct charges against school employees under their jurisdiction, while the central Board had three years to charge school staff in its employ.

RECOMMENDATION: The six-month statute of limitations for community school board employees, which was a provision of New York State Education Law section 2590, has been eliminated by the recently signed legislation. All tenured employees of the New York City public schools, whether they work in a high school or in a community school district, are subject to the same three-year statute of limitations. The Commission supported this legislation.

ISSUE: If an employee who had been disciplined for sexual harassment or abuse transfers to a new school, his or her disciplinary file remains at the original school.

RECOMMENDATION: The practice of transferring school-based employees without providing disciplinary information to the new principal was established by a 1967 special circular. The Chancellor should put an end to this practice. The unacceptable alternative is to allow known child abusers to continue within the system, moving from victim to victim. An employee's disciplinary file should accompany his or her administrative file to a new school or site. The accepting principal should know if a new employee has been involved in an incident of sexual abuse or harassment.[29]

ISSUE: Victims who were sexually abused in school many years ago -- when there was little awareness about the issue and no Special Commissioner's Office to investigate the complaint -- come forward now 10, 20, or even 30 years later to report the abuse for the first time.[30] When such an allegation is substantiated (as several have been in the past few

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[29] This recommendation may have collective bargaining implications.

[30] In New York State, the statute of limitations for a criminal action will have expired.

months), the school system must decide what do to with an employee who committed abuse years ago.[31]

RECOMMENDATION: Allegations of abuse that happened years ago must be investigated as thoroughly as allegations of more recent conduct. Obviously, the passage of time affects the likelihood that charges can be substantiated, particularly where no corroborative evidence exists. However, when an allegation is substantiated, in the appropriate case, SCI will recommend that the employee be fired.[32] As in current cases, any mitigating circumstances will be weighed by the Office of Legal Services which negotiates settlements with the accused and his/her attorney, and the hearing panel, who ultimately decides if and how the abuser should be punished.

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[31] For example, a former NYC public school student, now thirty-four years of age, reported to this office that a former teacher sexually abused him over the course of a year when he was twelve years old. That teacher had been promoted several times in the ensuing twenty-two years and now held an important position in the district office. At the direction of this office, the former student secretly recorded conversations with his abuser in which the former teacher admitted the abuse from years before. SCI recommended termination of the offender's employment with the Board. When confronted with the evidence, the abuser retired from the school system.

[32] The recently signed legislation may affect the time in which administrative charges based on an allegation from years ago can be brought. In certain instances, administrative charges may be time barred unless the underlying conduct resulted in a criminal conviction. Obviously if a criminal prosecution is now time barred, there will be no conviction and an administrative prosecution will also be precluded.

CONCLUSION

We thank the members of the Commission. Their hard work and dedication made this document possible.

A major recommendation made by each of the groups is training. The Commission recognizes that such training could incur a significant cost, and we therefore make several suggestions on how to keep that cost to a minimum.

Many members of the Commission have volunteered their time and expertise to the Chancellor to assist in the development of guidelines, regulations, a curriculum, and a training program. Many are willing to conduct training sessions.

Other members, including experts, are eager to assist the Chancellor, but their time must be accounted for, and that requires payment for their services. Many foundations have money available through grants to fund child sexual abuse prevention projects. We urge the Chancellor to take advantage of these funds. The Office of the Special Commissioner is willing to assist the Chancellor in obtaining grants.

While it would be easy to simply say that the recommendations proposed here are too costly, too cumbersome, too much a "wish list" that are impossible to implement -- that type of reaction ignores the cries of the sexually abused child. We urge the New York City school system to set a national example by facing the issues raised here and implementing the proposed recommendations.

APPENDIX

I. List of Commission members.

JOINT COMMISSION OF THE CHANCELLOR AND THE SPECIAL COMMISSIONER OF INVESTIGATION FOR THE PREVENTION OF CHILD SEXUAL ABUSE

Board of Education
Ramon C. Cortines
Chancellor

The Special Commissioner of Investigation
Edward F. Stancik
Special Commissioner

COMMISSION MEMBERS

Urania Anderson	BOE - Division of Student Support Services
William Andrews	Citywide Parent Leadership
Claire Barabash	BOE - Office of Monitoring and School Improvement
Jane Barker	Victim Services Agency
Milagros Batista	Alianza Dominicana
Barbara Becker-Bruno	Victim Services Agency
Lawrence Becker, Esq.	BOE - Counsel to the Chancellor
Edie Bonavita	Mothers Against Violence
Pam Boyle	Boyle & Crocker
Geanette Browder	Mothers Against Violence

Claudia Butler	Parents Coalition for Education
Effie Bynum	BOE - Pupil Personnel Services - High Schools
Sally Canty	Manhattan District Attorney's Office
Priscilla Chavez-Reilly	BOE - Division of Student Support Services
Pauline Chu	Chinese-American Parents Association
Angela Coyle	Child Abuse Prevention Program
Michael Crocker	Lexington Center for Mental Health/School for the Deaf
Larry Edwards	BOE - Division of High Schools
John Fager	Parents Coalition for Education
Sandra Feldman	President - United Federation of Teachers
Camilia Flye	Parents Action Council - Special Education Parents Rep.
Lucy Friedman	Executive Director - Victim Services Agency
Vincent B. Giordano	BOE - Dep Exec Dir - Division of Student Support Services
Francine Goldstein	BOE - Exec Dir - Division of Student Support Services
Ayo Harrington	United Parents Association of New York
Renee Hicks	Center For Children and Families
Charles Hughes	President - District Council 37

Philip Hyden, M.D.	New York Hospital Child Protection Team
Edna Johnson	ACORN
Galen Kirkland	Exec Dir - Advocates for Children of New York
Edward Levitan	Council of Supervisors and Administrators
Judi Levy	Victim Services Agency
Carole Lippold	Parent Liaison - Bronx H. S. Superintendent's Office
Regina Loughran, Esq.	Office of the Special Commissioner of Investigation
Barbara Lowe	Mothers Against Violence
Rosaleen Mazur	Cornell University - Family Life Development Center
Max Messer	Community School District Superintendents
Jackie Miranda	Chancellor's Parent Advisory Council
Jon Moscow	Exec Dir - Parents Coalition for Education
Christine Pawelski	Brooklyn College
Bonnie Potter, Esq.	Kings County District Attorney's Office
Fred Reich, Esq.	United Federation of Teachers
Anne Reiniger	Exec Dir - NYC Society/Prevention of Cruelty to Children
Cembrye Ross, Esq.	Chief - Sex Crime Prosecution Unit - NYC Law Dep't - Brooklyn Family Court

Thomas Ryan	BOE - Exec Dir - Division of Human Resources
Burton Sacks	BOE - Chief Executive - Office of Monitoring and School Improvement
Andrea Schlesinger	Board of Education - Student Advisory Member
Luis Serrano	NY Hispanic Task Force on Child Abuse & Neglect
Charol Shakeshaft, Ph.D.	Hofstra University
Donald Singer	President - Council of Supervisors & Administrators
Maureen Spencer	Office of the Special Commissioner of Investigation
Joseph Stigliano	President - Int'l Union of Operating Engineers
Nina Strattner	BOE - Division of High Schools
Edna Suarez-Columba	BOE - Office of Parent Involvement
Katherine Teets-Grimm, M.D.	Mount Sinai Hospital
Patty Thayer	Parent Liaison - Manhattan High Schools
K. C. Wagner	Cornell - ILR
LeRoy Watkins, Jr., Esq.	First Deputy Commissioner - SCI
Randi Weingarten, Esq.	Counsel - United Federation of Teachers
Terry Weiss	Child Welfare Administration
Marian White	Exec Dir - Child Abuse Prevention Program

Mary Ann Werntz	Agency for Child Development; Chair - NYC Network on Child Abuse and Neglect
Ronald Woo	BOE - Office of Monitoring and School Improvement
Kathy Dee Zasloff	Exec Dir - People Against Sexual Abuse, Inc.

APPENDIX

II. Suggested policy.

The following suggestions for a policy to be implemented by the Board of Education were made by a Commission member[33] with respect to student upon student conduct:

- Parents of the victims should be notified of the incident as soon as possible.
- The police (Special Victims Squad) should be notified immediately of all allegations of sexual abuse and a formal complaint should be filed with the police in each case.
- If necessary, the victim should be referred for immediate medical treatment and/or psychological treatment or counseling. If the victim is less than twelve, referral to a health care provider must be made.
- Where the alleged incident took place within the school or on school grounds, suspension or expulsion hearing should be instituted against the perpetrator. However, testimony of the victim should not be compelled at such a hearing until the resolution of any parallel Criminal or Family Court matter.
- If the victim's testimony is deemed essential at a suspension or expulsion hearing, the victim should be allowed to have a parent and/or attorney present during the hearing.
- The amount of forms and statements taken by school officials should be kept to a minimum.

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[33] These comments were made by Cembrye Ross, Esq., Chief of the Sex Crime Prosecution Unit for the New York City Law Department, Family Court Division, Kings County.